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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	
	)	CR-09-00079-MHP
Plaintiff,	)	
	)	<b>STIPULATION CONTINUING</b>
vs.	)	<b>SENTENCING DATE and</b>
	)	<b><del>PROPOSED</del> ORDER</b>
TOMAS CASTANEDA,	)	
	)	
Defendant.	)	
	)	
	)	

The United States, through its counsel Aaron Wegner, and defendant Tomas Castaneda, through his counsel John Yzurdiaga, hereby stipulate and agree to reschedule the sentencing date presently scheduled for Monday, June 28, at 2:15 p.m. to August 2, 2010 at 9:00 a.m.

Good cause for the stipulated request for continuance exists pursuant to 18 U.S.C. § 3161 (h)(8)(A) and 18 U.S.C. § 3161 (h)(8)(B)(iv) on the grounds that defendant, post-plea, elected to “safety valve” pursuant to USSG § 5C1.2(a) (1)-(5). The parties were not able to schedule the defendant’s safety valve interview prior to the current sentencing date of June 28, 2010. Therefore, additional time

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1 is required for the parties to complete the safety valve interview.

2  
3 STIPULATED:

4 DATED: 6/21/2010

5 /s/  
JOHN YZURDIAGA  
Attorney for Defendant

6  
7 DATED: 6/21/2010

8 /s/  
AARON D. WEGNER  
Assistant United States Attorney

9  
10 **ORDER**

11 Based on the stipulation of the parties and the facts set forth herein, good cause appearing,  
12 IT IS HEREBY ORDERED that defendant's sentencing hearing scheduled for June 28, 2010, is vacated  
13 and sentencing is continued to 9:00 a.m. on August 2, 2010.

14  
15 DATED: June 22, 2010

16  
17 HON. MARILYN H. PATEL  
United States District Judge

